

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  AQUILA, INC., d/b/a AQUILA NETWORKS	DOCKET NO. RPU-02-5 (TF-02-238, TF-02-239)
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**ORDER DOCKETING TARIFF, ESTABLISHING PROCEDURAL SCHEDULE,  
AND SCHEDULING CONSUMER COMMENT HEARINGS**

(Issued June 28, 2002)

On June 3, 2002, Aquila, Inc., d/b/a Aquila Networks (Aquila), filed with the Utilities Board (Board) proposed tariffs, identified as TF-02-238 and TF-02-239. In TF-02-238, Aquila is proposing a temporary rate increase that would produce additional revenue of approximately \$8.1 million. In TF-02-239, Aquila is proposing a permanent annual revenue increase of approximately \$9.3 million, or an overall annual revenue increase of 5.8 percent. To allow the Board time to fully consider the proposed increase, the proposed tariffs will be docketed as a formal proceeding identified as Docket No. RPU-02-5.

Pursuant to 199 IAC 7.7(16), the Board will be scheduling consumer comment hearings in Dubuque, Council Bluffs, and Des Moines to provide an opportunity for Aquila customers to express their views regarding the pending rate case, as well as the general quality of service provided by Aquila. However, persons with specific service complaints must follow the complaint procedure prescribed in 199 IAC 6.2.

Specific service complaints cannot be addressed at the consumer comment hearings.

**IT IS THEREFORE ORDERED:**

1. An investigation is instituted to determine the reasonableness of the proposed tariffs filed by Aquila, Inc., d/b/a Aquila Networks, identified as TF-02-238 and TF-02-239. This matter will be identified as Docket No. RPU-02-5, a formal contested case proceeding. The expenses reasonably attributable to this investigation shall be assessed to Aquila, Inc., d/b/a Aquila Networks, in accordance with Iowa Code § 476.10.
2. Proposed tariff filings TF-02-238 and TF-02-239 are suspended.
3. Consumer comment hearings will be held at the following locations for the purpose of receiving comments from the general public:
  - a. Monday, August 12, 2002, beginning at 2 p.m. at the Wahlert High School Cafeteria, 2005 Kane Street, Dubuque, Iowa.
  - b. Thursday, August 22, 2002, beginning at 5 p.m. at the Council Bluffs Community Hall, 205 South Main Street, Council Bluffs, Iowa.
  - c. Tuesday, August 27, 2002, beginning at 5 p.m. in the Iowa Utilities Board Hearing Room, 350 Maple Street, Des Moines, Iowa.
4. The following procedural schedule is established:
  - a. Applications to intervene shall be filed within 20 days of the date of this order. Late filed applications must show good cause to be considered.

b. The parties shall notify the Utilities Board prior to September 9, 2002, if they desire a prehearing conference.

c. The Consumer Advocate Division of the Department of Justice (Consumer Advocate) and any intervenors shall file prepared direct testimony, with the underlying workpapers and exhibits, on or before September 13, 2002. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.

d. If Consumer Advocate and any intervenors find it necessary to file testimony in rebuttal to each other's direct testimony, they may file rebuttal testimony on or before October 4, 2002.

e. Aquila, Inc., d/b/a Aquila Networks, shall file its rebuttal testimony with underlying workpapers and exhibits, on or before October 18, 2002.

f. Consumer Advocate and any intervenor shall file rebuttal testimony on any issue raised initially in that party's direct testimony and responded to by another party on or before November 1, 2002.

g. The parties shall file a joint statement of the issues on or before November 20, 2002.

h. All parties choosing to file a prehearing brief may do so on or before December 3, 2002.

i. A hearing shall be held beginning at 10 a.m. on December 16, 2002, for the purpose of receiving testimony and the cross-examination of all

testimony. The hearing shall be held in the Iowa Utilities Board Hearing Room, 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits.

Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

j. The parties may file simultaneous initial briefs on or before January 15, 2003.

k. All parties who filed initial briefs may file reply briefs on or before February 5, 2003.

5. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

6. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination which have not been previously filed shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

7. In the absence of objection, if the Board calls for further evidence on any issue and that evidence is filed after the close of hearing, the evidentiary record shall be reopened and the evidence will become a part of the evidentiary record five

days after filing. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of hearing.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 28<sup>th</sup> day of June, 2002.